

REMARKS

In the Office Action of August 22, 2007, the Examiner has divided the claims into three (3) groups: Group I, claims 1-6, 13, 14, and 17, drawn to an antibody, fragment thereof, composition and kit; and Group II, claim 27, drawn to a method of making an antibody; and Group III, claims 57-62, drawn to a method of determining aggressiveness or metastatic potential of a cancer.

Applicants traverse this requirement. Reconsideration and withdrawal thereof are earnestly requested.

The present invention is drawn to an antibody and its method of making and using. Therefore, they should be considered to be a single invention.

However, in order to be responsive to the outstanding Restriction Requirement, Applicants provisionally elect to prosecute the subject matter of Group I, claims 1-6, 13, 14, and 17, drawn to an antibody, fragment thereof, composition and kit, for prosecution on the merits, with traverse. Applicants specifically preserve the right to prosecute the non-elected claims.

The Examiner is also reminded of the Rejoinder rules once allowable subject matter is found for the composition claims.

Accordingly, early examination on the merits is respectfully requested.

The Commissioner is authorized to charge Deposit Account 502486 for any fees due to secure entry of this amendment to the extent necessary.

Respectfully submitted,

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